

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Firs Home Owners Association,

Plaintiff,

v.

City of SeaTac, a Municipal Corporation,

Defendant.

NO. 2:19-cv-01130-RSL

DECLARATION OF QUINN N. PLANT
IN OPPOSITION TO PLAINTIFF'S
MOTION FOR RELIEF FROM CASE
SCHEDULE DEADLINES AND TO
AMEND COMPLAINT, DISPOSITIVE
MOTION DEADLINE AND THE
TRIAL DATE

Pursuant to 28 U.S.C. § 1746, I, QUINN N. PLANT, state and declare under penalty
of perjury as follows:

1. I am an attorney of record for the defendant in the above-captioned lawsuit.

This declaration is based on my own personal knowledge.

2. The Court issued a scheduling order on September 30, 2019. (Dkt. #20).

The scheduling order established a deadline for amending pleadings on June 10, 2020, and a
deadline to complete discovery of August 9, 2020.

DECLARATION OF QUINN N. PLANT
IN OPPOSITION TO PLAINTIFF'S MOTION FOR
RELIEF FROM CASE SCHEDULE DEADLINES AND
TO AMEND COMPLAINT, DISPOSITIVE MOTION
DEADLINE AND THE TRIAL DATE – 1
NO. 2:19-cv-01130-RSL

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3 3. The parties have been engaged in discovery since 2019. The City served a
4 first set of discovery on the plaintiff ("HOA") in September 2019. The HOA served a first
5 set of discovery on City in December 2019. The City produced more than 22,000 pages of
6 records to the HOA in response to the first set of discovery in January 2020.
7

8 4. The City conducted all of its depositions in this lawsuit prior to the August 9,
9 2020, deadline to complete discovery. These included a deposition of the HOA pursuant to
10 Fed. R. Civ. P. 30(b)(6) on July 21, 2020.

11 5. After the deadline to amend pleadings had passed, the HOA moved to
12 continue the trial date and the discovery deadline. (Dkt. #63). The HOA did not move for
13 relief from the June 10, 2020, deadline to amend pleadings. (*Id.*). The Court granted this
14 motion on August 18, 2020. (Dkt. #68). Under the amended scheduling order, the parties
15 were required to complete discovery by February 9, 2021. (*Id.*).
16

17 6. In September 2020, the HOA served a second set of discovery on the City.
18 The discovery includes requests that the City produce all communications (including emails)
19 sent to or from Councilmember Pam Fernald for a two year period, and sent to or from
20 former Councilmembers Mike Seifkes or Rick Forschler for a four year period. The City
21 responded to these request in the following installments:
22

- 23 • October 21, 2020: 489 pages
24 • October 30, 2020: 19,499 pages
25 • November 12, 2020: 6,851 pages
26 • November 25, 2020: 8,230 pages
27 • December 14, 2020: 15,472 pages
28 • December 22, 2020: 3,466 pages

29 DECLARATION OF QUINN N. PLANT
30 IN OPPOSITION TO PLAINTIFF'S MOTION FOR
RELIEF FROM CASE SCHEDULE DEADLINES AND
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I declare under penalty of perjury under the laws of the State of Washington that the foregoing declaration is true and correct.

/s/ Quinn N. Plant
QUINN N. PLANT

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Fax (509)575-0351

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3 CERTIFICATE OF SERVICE
4

5 I hereby certify that on March 22, 2021, I filed the foregoing with the Clerk of the
6 Court using the CM/ECF System, which will send notification of such filing to the
7 following:

8 V. Omar Barraza	omar@barrazalaw.com
9 Christina L. Henry	chenry@hdm-legal.com
Mary E. Mirante Bartolo	mmbartolo@seatacwa.gov
10 Mark S. Johnsen	mjohnsen@seatacwa.gov
Seann Mumford	smumford@mjbe.com
11 Brendan W. Donckers	bdonckers@bjtlegal.com

12 and I hereby certify that I have mailed by United States Postal Service the document to the
13 following non-CM/ECF participants:
14

15 None.

16 s/ QUINN N. PLANT
17 WSBA #31339
18 Menke Jackson Beyer, LLP
19 *Attorneys for Defendant*
20 807 North 39th Avenue
21 Yakima, Washington 98902
22 Telephone: (509) 575-0313
23 Fax: (509) 575-0351
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